

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Interested Party Tile Setters and Tile Finishers Union of New York and New Jersey, Local No. 7 of the International Union of Bricklayers

Chapter 11
Case No. 24-20009-JNP

In re:

KIMO TILE @ MARBLE, LLC,

Debtor.

**NOTICE OF MOTION OF CREDITORS THE LOCAL 7 TILE BENEFIT FUNDS
AND THE TILE SETTERS AND TILE FINISHERS UNION OF
NEW YORK AND NEW JERSEY FOR AN ORDER
ENFORCING THE COLLECTIVE BARGAINING AGREEMENT**

PLEASE TAKE NOTICE that on the 12th of August, 2025, at 11:00 A.M., or as soon thereafter as counsel may be heard, Creditors the Local 7 Tile Benefit Funds (the “Benefit Funds”)¹ and the Tile Setters and Tile Finishers Union of New York and New Jersey, Local No. 7 of the International Union of Bricklayers and Allied Craftworkers (the “Union”, together with the Benefit Funds, the “Creditors”), by and through their undersigned counsel, will move before the Honorable Jerrold N. Poslusny, Jr., United States Bankruptcy Judge, at the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, New Jersey 08101, Courtroom 4C, for entry of an Order to enforce the collective bargaining agreement between the Union and Debtor KIMO Tile @ Marble, LLC d/b/a KIMO Tile and Marble, LLC, and for other relief this Court deems just and proper (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Creditors shall rely upon the Motion submitted concurrently herewith, the Memorandum of Law in Support of the Motion, the exhibit annexed thereto, the Declaration of Christopher Avallone, and the exhibits annexed thereto.

PLEASE TAKE FURTHER NOTICE that objections, if any, to relief requested in the Motion shall: (1) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court in accordance with D.N.J. LBR 9013-2.

¹ Consisting of: Trustees of the Local 7 Tile Industry Welfare Fund; Trustees of the Local 7 Tile Industry Annuity Fund; Trustees of the Tile Layers Local Union 52 Pension Fund; Trustees of the Local 7 Tile Industry Retiree Welfare Fund; Trustees of the Local 7 Tile Industry Vacation Fund; Trustees of the Local 7 Tile Industry Supplemental Fund; Trustees of the Local 7 Tile Industry Promotional Fund; Trustees of the Local 7 Tile Industry Training Fund; Trustees of the Local 7 Tile Industry Building Fund; Trustees of the Local 7 Tile Industry Defense Fund; Trustees of the Local 7 Tile Industry Local Political Action Committee; Trustees of the Bricklayers & Trowel Trades International Pension Fund; The International Masonry Institute; and the Trustees of the Bricklayers and Allied Craftworkers Political Action Committee.

PLEASE TAKE FURTHER NOTICE that unless objections are timely filed and served, the Motion shall be decided on the papers in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that oral argument is hereby waived unless timely objection is received.

PLEASE TAKE FURTHER NOTICE that an order granting the relief requested herein is submitted herewith and made part of the Motion herein.

Respectfully submitted,

Dated: New York, New York
July 18, 2025

VIRGINIA & AMBINDER, LLP

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Dated: New York, New York
July 18, 2025

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